

OFFICIAL GAZETTE



GOVERNMENT OF GOA, DAMAN AND DIU

GOVERNMENT OF GOA, DAMAN
AND DIU

Labour and Information Department

Special Department

Notification

Notification

1/4639/76-LAB(MWA)/1808

3-16-74-SPL

In exercise of the powers vested in him under Rule 4, sub-rule (2) of the Goa, Daman and Diu Civil Service Rules, 1967 read with rule 2 clause (d) thereof, the Administrator of Goa, Daman and Diu is pleased to declare the post of Assistant Director of Fisheries (Group 'B' Gazetted), in the scale of Rs. 650-30-740-35-810-EB-35-880-40-1000-EB-40-1200 vide orders No. 1-22-72-LSG dated 3-6-1974 and No. 1-29-73-LSG dated 23-11-76 issued by the Local Self Government Department, Secretariat, as a temporary 'duty post' of the said service for the purpose of recruitment thereto.

By order and in the name of the Administrator of Goa, Daman and Diu.

M. K. Bhandare, Deputy Secretary (Appointments).
Panaji, 29th November, 1976.

Home Department (Transport and Accommodation)

Notification

HD(TA-Tpt)/1-17/75

In exercise of the powers conferred under section 23 of the Goa, Daman and Diu Motor Vehicles (Taxation on Passengers and Goods) Act, 1974 (Act 10 of 1974) the Government of Goa, Daman and Diu hereby totally exempts the tourist vehicles registered in any other State in India, being tourist vehicles in respect of which permits have been granted under sub-section (7) of section 63 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939), from payment of tax leviable under the said Act provided similar reciprocal exemption is granted in such other State to tourist vehicles registered in the Union territory of Goa, Daman and Diu and in respect of which similar permits have been granted by the State Transport Authority, Goa.

By order and in the name of the Administrator of Goa, Daman and Diu.

G. M. Sardessai, Under Secretary (Home).
Panaji, 29th November, 1976.

Whereas in exercise of the powers conferred by clause (a) of sub-section (1) of section 5 of the Minimum Wages Act, 1948 (Central Act XI of 1948) (hereinafter referred to as "the said Act"), Government of Goa, Daman and Diu by notification No. CLE/11/MWA(4)/74/981 dated 19th August, 1974, Labour and Information Department published in Official Gazette No. 22, Series II dated 29th August, 1974, appointed a committee to hold enquiries and advise the Government in the matter of initial fixation of minimum rates of wages in respect of the scheduled employment namely, "Employment in Public Motor Transport and Employment in Motor Transport undertakings" in the Union Territory of Goa, Daman and Diu;

And whereas the said Committee has submitted its report to the Government;

Now, therefore, in exercise of the powers conferred by clause (a) of sub-section (1) of section 3 read with sub-section (2) of section 5 of the said Act, the Government of Goa, Daman and Diu, after considering the advice of the said committee hereby, with effect from 1st December, 1976, fixes minimum rates of wages payable to the class/categories of employment namely "Employment in Public Motor Transport and Employment in Motor Transport undertakings" in the Union Territory of Goa, Daman and Diu as specified in the schedule below:

SCHEDULE

Sr. No.	Class of work/category of employment	All inclusive minimum rates of wages
1	2	3
I. Unskilled		
1.	Peon	Rs. 5.00 per day or
2.	Chowkidar	Rs. 30.00 per week or
3.	Sweeper	Rs. 130.00 per month
4.	Porter	
5.	Cleaner	
6.	Helper	
7.	Mazdoor	
8.	Watchman	
9.	Coolie	
10.	Any other categories by whatever name called which are of unskilled nature.	

Sr. No.	Class of work/category of employment	All inclusive minimum rates of wages
1	2	3
II. Semi-skilled		
1.	Electrician (Helper)	
2.	Mechanic (Helper)	
3.	Fitter (Helper)	
4.	Blacksmith (Helper)	Rs. 6.00 per day or
5.	Carpenter (Helper)	Rs. 36.00 per week or
6.	Welder (Helper)	Rs. 156.00 per month
7.	Turner (Helper)	
8.	Machinist (Helper)	
9.	Cushion Maker (Helper)	
10.	Vulcanizer (Helper)	
11.	Painter (Helper)	
12.	Boring Barman (Helper)	
13.	Sprayman (Helper)	
14.	Any other categories by whatever name called which are of semi-skilled nature.	
III. Skilled		
1.	Mechanic	
2.	Fitter	
3.	Electrician	
4.	Blacksmith	
5.	Carpenter	Rs. 9.00 per day or
6.	Welder	Rs. 54.00 per week or
7.	Turner	Rs. 234.00 per month
8.	Boring Barman	
9.	Machinist	
10.	Cushion Maker	
11.	Tinsmith	
12.	Vulcanizer	
13.	Painter	
14.	Spray Painter	
15.	Re-trader	
16.	Moulder	
17.	Line-man	
18.	Any other categories by whatever name called which are of skilled nature.	
IV. Highly Skilled		
1.	Head Mechanic	Rs. 11.00 per day or
2.	Garage Supervisor	Rs. 66.00 per week or
3.	Driver (Goods Transport)	Rs. 286.00 per month
4.	Driver (Light vehicle and Passenger Transport and Bus).	Rs. 7.00 per day or
		Rs. 42.00 per week or
		Rs. 182.00 per month
V. General Staff (Clerical etc.)		
1.	Clerk	
2.	Typist	
3.	Booking Clerk	
4.	Store Keeper	
5.	Store Clerk	
6.	Ledger-Keeper	Rs. 10.00 per day
7.	Steno-Typist	(Matriculation)
8.	Receptionist	Rs. 8.00 per day
9.	Checker	(Non-Matriculation)
10.	Cashier	Rs. 60.00 per week
11.	Accounts Clerk	(Matriculation)
12.	Time-Keeper	Rs. 48.00 per week
13.	Telephone Operator	(Non-Matriculation)
14.	Store Issuer	Rs. 260.00 per month
15.	Tally Clerk	(Matriculation)
		Rs. 208.00 per month
		(Non-Matriculation)
VI.		
1.	Head Clerk	Rs. 12.00 per day or
2.	Auditor/Accountant	Rs. 72.00 per week or
3.	Head Cashier	Rs. 312.00 per month
4.	Conductor	Rs. 6.00 per day or
		Rs. 36.00 per week or
		Rs. 156.00 per month

Explanation:

i) Where in any area/establishment/scheduled employment wages fixed under this notification are lower than the wages by agreement/settlement or contract or Contractors' Regulations attached to the conditions of contract the higher rate would be payable as Minimum Wages under this Notification.

ii) (a) Unskilled work is one which involves simple operations requiring little or no skill or experience on the job.

(b) Semi-skilled work is one which involves skill or competence acquired through experience on the job and which is capable of being performed under the supervision or guidance of skilled employee, and includes unskilled supervisory work.

(c) Skilled work is one which involves skill or competence acquired through experience on the job or through training as an apprenticeship or in a technical or vocational institute and the performance of which calls for initiative and judgement.

iii) The minimum rates of wages are applicable to employees engaged by the Principal Employers or Contractors or Sub-Contractors, etc.

iv) The minimum rates of wages fixed is all inclusive rate including the wages for the weekly day of rest, dearness allowance and interim relief but does not include batta/food allowance/travelling expenses/H. R. A./washing allowance/similar payments.

v) Both men and women workers have to be paid same rates of wages fixed for the category and for equal work.

vi) In case of employees employed in piece-rate basis, the minimum rates of wages payable to him shall be at a rate not less than the minimum rates of wages fixed for the class/category to which he belongs under this notification.

vii) The minimum rates of wages payable to an adolescent certified to work as an adult shall be same as an adult. In case he or she is certified to work as an adolescent only, the rate of wages payable shall be 80 per cent of the minimum rates of wages fixed for adults.

By order and in the name of the Administrator of Goa, Daman and Diu.

P. Noronha, Under Secretary (Industries and Labour).

Panaji, 19th November, 1976.

Law and Judiciary Department

Notification

LD/5612/76

The following Rules framed by the Judicial Commissioner's Court, Panaji, are hereby published for general information of the Public.

B. S. Subbanna, Under Secretary (Law).

Panaji, 30th November, 1976.

Court of the Judicial Commissioner, Goa, Daman and Diu,
at Panaji

Notification

JCC/LIB/270/76/R

RULES

In exercise of the powers conferred by sub-clause (2) of clause 10 of the Goa, Daman and Diu (Judicial Commissioner's Court) Regulation, 1963 (No. 10 of 1963) the court of the Judicial Commissioner, Goa, Daman and Diu hereby makes the following rules so as to amend the Goa, Daman and Diu Judicial Commissioner's Court (Delegation of powers to the Registrar) Rules, 1969 namely:

1. *Short title and Commencement.* — (a) These rules may be called the Goa, Daman and Diu Judicial Commissioner's Court (Delegation of powers to the Registrar) (Second amendment) Rules, 1976.

(b) They shall come into force at once.

2. *Insertion of Rule 11.* — After rule 10 of the principal rules, insert the following:

11. *Application to be decided by Registrar.* — In addition to the above, the Registrar shall also have powers to decide applications pertaining to the matters mentioned in the rules hereunder:

(a) To permit or require any person to offer evidence by affidavit with respect to any application or matter which he is empowered to dispose of under the rules.

(b) To adjourn cases fixed on board when circumstances exist for adjournment.

(c) To stop, at his discretion, the issue of all or any papers to any Advocate who has failed to pay any fee or charges due to the Court.

(d) To extend the time allowed or prescribed by these rules in matters to be determined by the Registrar.

(e) To grant leave to withdraw appearance.

(f) To order the refund of Court-fee paid under a bonafide mistake.

(g) For amendment of grounds of appeals or for filing additional grounds.

(h) For amendment of clause title.

(i) To advance the hearing of cases posted as ready on the Notice Board of the Court.

(j) For change of advocates.

(k) To make an order for the production of documents by a party.

(l) To stop at his discretion the issue of papers to any person who has failed to pay the fee or charges due on any papers.

(m) To call for records from subordinate Courts and to dispose of applications or requisitions for the return of such records.

(n) To dispose of applications for copies of pending records or parts thereof.

Sd/-

TITO MENEZES

Judicial Commissioner
6-11-76

Notification

LD/1054/76

The following notification received from the Government of India, Ministry of Labour, New Delhi, is hereby republished for general information of the public.

M. S. Borkar, Under Secretary (Law).

Panaji, 6th March, 1976.

GOVERNMENT OF INDIA

(BHARAT SARKAR)

MINISTRY OF LABOUR

(SHRAM MANTRALAYA)

Dated New Delhi 110001, the 20th February, 1976

Notification

G.S.R. — The following draft of certain rules further to amend the Industrial Disputes (Central) Rules, 1957, which the Central Government proposes to make in exercise of the powers conferred by sub-section (1) of section 38 of the Industrial Disputes Act, 1947 (14 of 1947) is hereby published as required by that sub-section for the information of all persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration on or after the expiry of a period of ten days from the date of publication of this notification in the Official Gazette;

Any objections or suggestions which may be received from any person in respect of the said draft before the expiry of the period so specified will be considered by the Central Government.

DRAFT RULES

1. These rules may be called the Industrial Disputes (Central) Amendment Rules, 1976.

2. In the Industrial Disputes (Central) Rules, 1957, —

(a) after rule 75A, the following rule shall be inserted, namely: —

"75B. *Application for permission to lay off under section 25M.* — (1) Application for permission to lay-off any workman under sub-section (1), or for permission to continue a lay-off under sub-section (2), of section 25M shall be made in Form O-3 and delivered to the authority specified under sub-section (1) either personally or by registered post acknowledgement due and where the application

is sent by registered post the date on which the same was delivered to the said authority shall be deemed to be the date on which the application was made, for the purposes of sub-section (4) of the said section.

(2) The application for permission shall be made in triplicate and sufficient number of copies of the application for service on the workmen concerned shall also be submitted alongwith the application.

(3) The employer concerned shall furnish to the authority to whom the application for permission has been made such further information as the authority considers necessary for arriving at a decision on the application, as and when called for by such authority, so as to enable the authority to communicate the permission or refusal to grant permission within the period specified in sub-section (4) of section 25M.

(4) Where the permission to lay-off has been granted by the said authority, the employer concerned shall give to the Regional Labour Commissioner (Central) concerned, a notice of commencement and termination of such lay-off in Form 0-1 and 0-2 respectively and where permission to continue a lay-off has been granted by the said authority, the employer shall give to the Regional Labour Commissioner (Central) concerned, a notice of commencement of such lay-off in Form 0-1, in case such a notice has not already been given under sub-rule (1) of rule 75A, and a notice of termination of such lay-off in Form 0-2.

(5) The notice of commencement and termination of lay-off referred to in sub-rule (4) shall be given within the period specified in sub-rule (1) of rule 75A.”;

(b) rule 76A shall be re-numbered as rule 76B and —

(i) before rule 76B as so re-numbered, the following rule shall be inserted, namely: —

“76A. *Notice of, and application for permission for, retrenchment.* — (1) Notice under clause (c) of sub-section (1) of section 25N for retrenchment shall be served in Form PA and served on the Central Government or such authority as may be specified by that Government under the said clause either personally or by registered post acknowledgement due and where the notice is served by registered post, the date on which the same was delivered to the Central Government or the authority shall be deemed to be the date of service of the notice for the purposes of sub-section (3) of the said section.

(2) Application for permission for retrenchment under sub-section (4) of section 25N shall be made in Form PB (with attested copy of the notice given by the employer under clause (a) of section 25F appended thereto) and delivered to the Central Government or to such authority as may be specified by that Government either person-

ally or by registered post acknowledgement due and where the application is sent by registered post the date on which the same was delivered to the Central Government or the authority shall be deemed to be the date on which the application was made for the purposes of sub-section (5) of the said section.

(3) The notice or, as the case may be, the application shall be served or made in triplicate and sufficient number of copies of the application for service on the workmen concerned shall be submitted alongwith the notice or, as the case may be, the application.

(4) The employer concerned shall furnish to the Central Government or the authority to whom the notice for retrenchment has been given or the application for permission for retrenchment has been made, under clause (c) of sub-section (1) or, as the case may be, sub-section (4) of the said section 25N, such further information as the Central Government or, as the case may be, the authority considers necessary for arriving at a decision on the notice or, as the case may be, the application, as and when called for by such authority, so as to enable the Central Government or the authority to communicate its permission or refusal to grant permission within the period specified in sub-section (3) or, as the case may be, sub-section (5) of the said section 25N.”;

(ii) after rule 76B as so renumbered the following rule shall be inserted, namely: —

“76C. *Notice of, and application for permission for, closure.* — (1) Notice under sub-section (1) of section 25-0 of intended closure shall be given in Form QA and served on the Central Government either personally or by registered post acknowledgement due.

(2) Application for permission to close down an undertaking, under sub-section (3) of section 25-0, shall be made in Form QB (with attested copy of the notice served by the employer under sub-section (1) of section 25FFA appended thereto) and delivered to the Central Government either personally or by registered post acknowledgement due and where the application is sent by registered post the date on which the same was delivered to the Central Government shall be deemed to be the date on which the application was made for the purposes of sub-section (4) of the said section.

(3) The notice, or, as the case may be, the application shall be made in triplicate.

(4) The employer concerned shall furnish to the Central Government to whom the notice of intended closure has been given or the application for permission to close down has been made such further information as that Government considers necessary, for arriving at a decision on the notice, or, as the case may be, the application, and calls for from such employer.”;

(c) after Form 0-2, the following form shall be inserted, namely: —

"Form 0-3 (To be submitted in triplicate with additional number of copies for service on the workmen concerned)

[See rule 75B(1)]

Form of application for permission to lay-off workmen in industrial establishments to which provisions of Chapter VB of the Industrial Disputes Act, 1947 (14 of 1947) apply

To

.....
.....
.....

(The authority specified under sub-section (1) of section 25M of the Act)

Sir,

Under sub-section (1)/sub-section (2) of section 25M of Industrial Disputes Act, 1947 (14 of 1947) read with sub-rule (1) of rule 75B of the Industrial Disputes (Central) Rules, 1957 I/we hereby apply for* permission to lay-off/permission to continue the lay-off of ... workmen of a total of ... workmen employed in my/our establishment with effect from ... for the reasons set out in the Annexure.

Permission is solicited* for the lay-off/to continue the lay-off of the said workmen.

Such of the workmen permitted to be laid-off will be paid such compensation, if any, to which he is entitled under sub-section (6) of section 25M, read with section 25C, of the Industrial Disputes Act, 1947 (14 of 1947).

Yours faithfully,
(Signature)

*Strike out whatever is inapplicable.

ANNEXURE

(Please give replies against each item)

Item No.

1. Name of the undertaking with complete postal address, including telegraphic addresses and telephone number.
2. (a)* Names and addresses of the affected workmen proposed to be laid-off/names and addresses of the workmen laid off before the commencement of the Industrial Disputes (Amendment) Act, 1976 (32 of 1976) and the dates from which each of them have been laid off.
(b) The nature of the duties of the workmen referred to in sub-item (a), the units/sections/shops where they are working and the wages drawn by them.
3. Product/products of the undertaking.
4. Details relating to installed capacity, licenced capacity and utilised capacity.
5. (i) Annual production, itemwise for preceding three years.
(ii) Production figures, month-wise, for the preceding twelve months.
6. Work-in-progress, item-wise and value-wise.
7. Any arrangements regarding off-loading or sub-contracting of products or any components thereof.
8. Position of the order book, item-wise and value-wise for a period of six months, and one year, next following and for the period after the expiry of the said one year.

9. Number of working days in a week with the number of shifts per day and the strength of workmen per each shift.
10. Balance-sheets, profit and loss accounts and audit reports for the last three years.
11. Financial position of the company.
12. Names of the inter-connected companies or companies under the same management.
13. (i) The total number of workmen and the number of employees other than workmen as defined under the Industrial Disputes Act, 1947 (14 of 1947), employed in the undertaking.
(ii) Percentage of wages of workmen to the total cost of production.
14. Administrative, general and selling cost in absolute terms per year in the last three years and percentage thereof to the total cost.
15. Details of lay-offs resorted to in the last three years (other than the lay-off for which permission is sought), including the periods of such lay-offs, the number of workmen involved in each such lay-off and the reasons therefor.
16. Anticipated savings due to the *proposed lay-off/lay-off for the continuance of which permission is sought.
17. Any proposal for effecting savings on account of reduction in—
(i) managerial remuneration,
(ii) sales promotion cost, and
(iii) general administration expenses.
18. Position of stocks on last day of the month in the preceding twelve months.
19. Annual sales figures for the last three years and monthwise sales figures for the preceding twelve months, both item-wise and value-wise.
20. Reasons for the *proposed lay-off/lay-off for the continuance of which permission is sought.
21. Any specific attempts made so far to avoid the *proposed lay-off/lay-off for the continuance of which permission is sought.
22. Any other relevant factors with details thereof.”;

*Strike out whatever is inapplicable.

(d) after Form P, the following forms shall be inserted, namely: —

"Form PA (To be made in triplicate with additional number of copies for service on the workmen concerned)

[See rule 76A(1)]

Form of notice for permission for retrenchment of workmen to be given by an employer under clause (c) of sub-section (1) of section 25N of the Industrial Disputes Act, 1947 (14 of 1947)

Date: ...

To

.....
.....
.....

(The Central Government/authority specified under clause (c) of sub-section (1) of section 25N of the Act)

Sir,

Under clause (c) of sub-section (1) of section 25N of the Industrial Disputes Act, 1947 (14 of 1947), I/We hereby

inform you that I/We propose to retrench ... workmen (being workmen to whom sub-section (1) of section 25N applies) with effect from ... for the reasons set out in the Annexure.

*

2. The workmen concerned have been given notice in writing as required under clause (a) of sub-section (1) of section 25N of the Act/have not been given notice since the retrenchment being proposed to be effected under an agreement (a copy of which is enclosed) as provided in the proviso to the said clause.

3. The total number of workmen employed in the industrial establishment is ... and the total number of those who will be affected by the proposed retrenchment is as given below:—

(Category and designation of workmen to be retrenched)	Number of workmen	
	(Employed)	(to be retrenched)
(1)	(2)	(3)

4. Permission is solicited for the proposed retrenchment, under clause (c) of sub-section (1) of section 25N of the Industrial Disputes Act, 1947 (14 of 1947).

5. I/We hereby declare that the workmen permitted to be retrenched will be paid compensation due to them under clause (b) of sub-section (1) of section 25N of the Act.

Yours faithfully,
(Signature)

*Strike out whatever is inapplicable.

ANNEXURE

(Please give replies against each item)

Item No.

- Name of the undertaking with complete postal address, including telegraphic addresses and telephone number.
- Names and addresses of the workmen proposed to be retrenched and the nature of their duties, the units/sections/shops where they are working and the wages drawn by them.
- Product/products of the undertaking.
- Details relating to installed capacity, licensed capacity and the utilised capacity.
- (i) Annual production, itemwise for preceding three years.
(ii) Production figures month-wise for the preceding twelve months.
- Work in progress—item-wise and value-wise.
- Any arrangement regarding off-loading or sub-contracting of products or any components thereof.
- Position of the order book-item-wise and value wise for a period of six months, and one year, next following and for the period after the expiry of the said one year.
- Number of working days in a week with number of shifts per day and strength of workmen per each shift.
- Balance Sheet; profit and loss account and audit reports for the last three years.
- Financial position of the company.
- Names of the inter-connected companies or companies under the same management.
- (i) The total number of workmen and the number of employees other than workmen as defined in the Industrial Disputes Act, 1947 (14 of 1947), employed in the undertaking
(ii) Percentage of wages of workmen to the total cost of production.
- Administrative, general and selling cost in absolute terms per year for the last three years and percentage thereof to the total cost.
- Details of retrenchment resorted to in the last three years, including dates of retrenchment, the number of workmen involved in each case, and the reasons therefor.
- Has any of the retrenched workmen been given re-employment and if so, when? Give details.
- Are seniority lists maintained in respect of the categories of workmen proposed to be retrenched and if so, the details and the position of the workmen affected indicating their length of service including broken periods of service?
- Anticipated savings due to the proposed retrenchment.
- Any proposal for effecting savings on account of reduction in
(i) managerial remuneration,
(ii) sales promotion cost, and
(iii) sales administration expenses.
- Position of stock on the last day of the month in the preceding twelve months.
- Annual sales figures for the last three years and month-wise sales figures—for the preceding twelve months both item-wise and value-wise.
- Reasons for the proposed retrenchment.
- Any specific attempt made so far to avoid the proposed retrenchment.
- Any other relevant factors with details thereof.

Form PB (To be made in triplicate with additional number of copies for service on the workmen concerned)

[See rule 76A(2)]

Form of application for permission for retrenchment of workmen in cases where at the commencement of the Industrial Disputes (Amendment) Act, 1976 (Act 32 of 1976), the period of notice given under clause (a) of section 25F for the retrenchment has not expired

Date.

To

.....
.....
.....

(The Central Government/authority referred to in sub-section (2) of section 25N of the Act)

Sir,

I/We have given notice on ... under clause (a) of section 25F for the retrenchment of the workman/workmen specified below (Attested copy/copies of the notice is/are appended hereto):—

Name and addresses of workmen	Category and designation
(1)	(2)

2. The period of notice referred to above has not expired.

3. I/We hereby solicit permission for the retrenchment of the workmen referred to above under sub-section (4) of section 25N of the Industrial Disputes Act, 1947 (14 of 1947) for the reasons set out in the Annexure.

Yours faithfully,

(Signature)

ANNEXURE

(Please give replies against each item)

Item No.

1. Name of the undertaking with complete postal address, including telegraphic addresses and telephone number.
 2. (a) Names of the workmen proposed to be retrenched and the nature of their duties, the units/sections/shops where they are working and the wages drawn by them.
(b) Date of the notice of retrenchment given to the workman concerned under section 25F(a) and the dates on which the said notice was served on each workman concerned.
 3. Product/products of the undertaking.
 4. Details relating to installed capacity, licensed capacity and the unused capacity.
 5. (i) Annual production, item-wise for preceding three years.
(ii) Production figures month-wise for the preceding twelve months.
 6. Work in progress—item-wise and value-wise.
 7. Any arrangement regarding off-loading or sub-contracting of products or any components thereof.
 8. Position of the order book—item-wise and value-wise for a period of six months, and one year, next following and for the period after the expiry of the said one year.
 9. Number of working days in a week with number of shifts per day and strength of workmen per each shift.
 10. Balance Sheet; profit and loss account and audit reports for the last three years.
 11. Financial position of the company.
 12. Names of the inter-connected companies or companies under the same management.
 13. (i) The total number of workmen and the number of employees other than workmen as defined in the Industrial Disputes Act, 1947 (14 of 1947), employed in the undertaking.
(ii) Percentage of wages of workmen to the total cost of production.
 14. Administrative, general and selling cost in absolute terms per year for the last three years and percentage thereof to the total cost.
 15. Details of retrenchment resorted to in the last three years, including the dates of retrenchment, the number of workmen involved in each case and the reasons therefor.
 16. Has any of the retrenched workmen been given re-employment and if so, when? Give details.
 17. Are seniority lists maintained in respect of the categories of workmen proposed to be retrenched and if so, the details and the position of the workmen affected indicating their length of service including broken periods of service?
 18. Anticipated savings due to the proposed retrenchment.
 19. Any proposal for effecting savings on account of reduction in—
(i) managerial remuneration;
(ii) sales promotion cost; and
(iii) general administration expenses.
 20. Position of stock on the last day of the month in the preceding twelve months.
 21. Annual sales figures for the last three years and month-wise sales figures for the preceding twelve months—both item-wise and value wise.
 22. Reasons for the proposed retrenchment.
 23. Any specific attempt made so far to avoid the proposed retrenchment.
 24. Any other relevant factors with details thereof.”;
- (e) after From Q, the following forms shall be inserted, namely:—
- “Form QA (To be submitted in triplicate)
(See rule 76C(1))
- Form of notice for permission of closure to be given by an employer under sub-section (1) of Section 25-O of the Industrial Disputes Act, 1947 (14 of 1947)
- Date ...
- To
- The Secretary to the Government of India,
Ministry of Labour,
New Delhi.
- Sir,
- Under section 25-O of the Industrial Disputes Act, 1947 (14 of 1947), I/we hereby inform you that I/we propose to close down the undertaking specified below of ... (name of the industrial establishment)
- (Give details of the undertaking)
-
-
-
- with effect from ... for the reasons explained in the Annexure.
2. The number of workmen whose services will be terminated on account of the closure of the undertaking is ... (number of workmen).
3. Permission is solicited for the proposed closure.
4. I/we hereby declare that in the event of approval for the closure being granted, every workman in the undertaking to whom sub-section (7) of the said section 25-O applies will be given notice and paid compensation as specified in section 25N of the Industrial Disputes Act, 1947 (14 of 1947) as if the workman had been retrenched under that section.
- Yours faithfully,
(Signature)
- ANNEXURE
- (Please give replies against each item)
- Item No.
1. Name of the industrial establishment with complete postal address,

- including telegraphic addresses and telephone number.
2. The total number and categories of workmen affected by the proposed closure, along with the addresses of the workmen and the details of wages drawn by them.
 3. Product/products of the undertaking.
 4. Details relating to licensed capacity, installed capacity and the utilised capacity.
 5. (i) Annual production itemwise for preceding three years.
(ii) Production figures monthwise for the preceding twelve months.
 6. Work in progress — itemwise and value-wise.
 7. Any arrangement regarding off-loading or sub-contracting of products or any component thereof.
 8. Details of persons or the organisations to whom the job (s) is (are) being entrusted — relationship/interest of the persons/organisations with the director (s) or the officer (s) of the company.
 9. Position of the order book — itemwise and value-wise, for a period of six months, and one year, next following and for the period after the expiry of the said one year.
 10. Number of working days in a week with the number of shifts per day and the strength of workmen per each shift.
 11. Balance sheet and profit and loss account and audit reports for the last three years.
 12. Financial position of the company.
 13. (i) Names of any interconnected company or companies under the same management.
(ii) Details about intercorporate investments and changes during the last one year.
(iii) Interest of any of the directors/officers of the undertaking producing same or similar type of product.
 14. Percentage of wages of workmen to the total cost of production.
 15. Administrative, general and selling cost in absolute terms per year for the last three years and percentage thereof to the total cost.
 16. Inventory position — itemwise and value-wise for the preceding twelve months (Inventories to be shown in respect of finished products, components and raw-materials to be shown separately itemwise and value-wise).
 17. Selling arrangement for the last three years and any change in the selling arrangement in preceding twelve months.
 18. Full details of the interests of the directors and officers of the company in the organisations/ persons involved in selling products of the undertaking.
 19. Buying arrangements for raw materials and components.
 20. Interests of the directors and officers with the organisations/persons involved in buying raw materials and components for the undertaking.

21. Annual sales figures for the last three years and monthwise sales figures for the preceding twelve months both itemwise and value-wise.
22. Reasons for the proposed closure
23. Any specific attempts made so far to avoid the closure.
24. Any other relevant factors with details thereof."

Form OB (To be submitted in triplicate)

[See rule 76B(2)]

Form of application for permission to close down an undertaking in cases where at the commencement of the Industrial Disputes (Amendment) Act, 1976 (Act 32 of 1976), the period of notice given under sub-section (1) of section 25FFA of intention to close down an undertaking has not expired

Date:

To

The Secretary to the Government of India,
Ministry of Labour,
New Delhi.

Sir,

I/We have given notice on ... under sub-section (1) of section 25FFA of our intention to close down an undertaking specified below of

(name of industrial establishment)

(Attested copy of the notice is appended hereto)

(Give details of the undertaking)

.....

.....

.....

2. The period of notice referred to above has not expired.

3. I/We hereby solicit permission to close down the said undertaking under sub-section (3) of section 25-0 of the Industrial Disputes Act, 1947 (14 of 1947) for the reasons set out in the Annexure.

4. I/We hereby declare that in the event of permission for the closure being granted every workman in the undertaking to whom sub-section (7) of the said section 25-0 applies will be given notice and paid compensation as specified in section 25N of the Industrial Disputes Act, 1947 (14 of 1947) as if the workman had been retrenched under that section.

Yours faithfully,

(Signature)

ANNEXURE

(Please give replies against each item)

Item No.

1. Name of the industrial establishment with complete postal address, including telegraphic addresses and and telephone number.
2. Date of the notice under sub-section (1) of section 25FFA and the date on which the said notice was served on the appropriate Government.
3. The total number and categories of workmen affected by the proposed closure, along with the addresses of the workmen and the details of wages drawn by them.
4. Product/products of the undertaking.

5. Details relating to licensed capacity, installed capacity and the utilised capacity.
6. (i) Annual production itemwise for preceding three years.
(ii) Production figures monthwise for the preceding twelve months.
7. Work in progress—itemwise and value-wise.
8. Any arrangement regarding off-loading or sub-contracting of products or any component thereof.
9. Details of persons or the organisations to whom the job(s) is (are) being entrusted—relationship/interest of the persons/organisations with the director(s) or the officer(s) of the company.
10. Position of the order book—itemwise and value-wise: for a period of six months; and one year, next following and for the period after the expiry of the said one year.
11. Number of working days in a week with the number of shifts per day and the strength of workmen per each shift.
12. Balance sheet and profit and loss account and audit reports for the last three years.
13. Financial position of the company.
14. (i) Names of any inter-connected company or companies under the same management.
(ii) Details about inter-corporate investments and changes during the last one year.
(iii) Interest of any of the directors/officers of the undertaking producing same or similar type of product.
15. Percentage of wages of workmen to the total cost of production.
16. Administrative, general and selling cost in absolute terms per year for the last three years and percentage thereof to the total cost.
17. Inventory position—itemwise and value-wise for the preceding twelve months. (Inventories to be shown in respect of finished products, components and raw-materials to be shown separately itemwise and value-wise).
18. Selling arrangement for the last three years and any change in the selling arrangement in preceding twelve months.
19. Full details of the interests of the directors and officers of the company in the organisations/persons involved in selling products of the undertaking.
20. Buying arrangements for raw materials and components.
21. Interests of the directors and officers with the organisations/persons involved in buying raw materials and components for the undertaking.
22. Annual sales figures for the last three years and monthwise sales figures for the preceding twelve months, both itemwise and value-wise.
23. Reasons for the proposed closure.
24. Any specific attempts made so far to avoid the closure.
25. Any other relevant factors with details thereof".

[F. No. S. 65017/1/76/D.IA]

D. BANDYOPADHYAY

Joint Secretary